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Attorney for Plaintiff ONWARD HOLDINGS, LLC

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

ONWARD HOLDINGS, LLC,
Plaintiff,

vs.

PRIME CAPITAL VENTURES, LLC, and KRIS
ROGLIERI,
Defendants.

**AMENDMENT TO PLAINTIFF'S
MOTION FOR DEFAULT JUDGMENT
AGAINST KRIS ROGLIERI**

Civil No.: 2:23-cv-00833-JNP-JCB

Honorable Jill N. Parrish

Magistrate Judge Jared C. Bennett

Plaintiff Onward Holdings, LLC (“**Onward**”) revise submits this amendment to Plaintiff’s Motion for Default Judgment Against Kris Roglieri (the “**Motion**”), to seek an Order pursuant to Rule 54(b), so that a final judgment can be entered against Defendant Kris Roglieri.

DISCUSSION

At the time the Motion was filed, both Defendants had failed to timely respond to Onward’s Complaint, but Defendant Prime Capital Ventures, LLC (“**Prime**”) was the subject of an involuntary bankruptcy petition filed against it in the United States Bankruptcy Court for the Northern District of New York. *See* Notice of Involuntary Petition of Bankruptcy Against Defendant Prime Capital Ventures, filed December 20, 2023.

Due to the filing of the Involuntary Petition, Onward's Motion for Entry of Default, filed December 18, 2023, and its pending Plaintiff's Motion for Default Judgment Against Kris Roglieri, are directed only at Defendant Roglieri, not Prime. In its Motion, Onward neglected to seek a determination that there is no just reason for delay in the entry of a final judgment against Mr. Roglieri.

Onward submits that there is no reason to delay the entry of final judgment. Mr. Roglieri has defaulted and a final judgment is appropriate at this time. But for the intervention of the bankruptcy proceeding, Onward would have pursued a default judgment against defendant Prime as well.¹

CONCLUSION

For the reasons stated, Onward requests that the Court, in entering judgment, expressly determine that there is no just reason for delay in the entry of final judgment against Defendant Kris Roglieri. A proposed substitute form of Final Judgment, including that determination, is attached hereto as Exhibit A.

DATED this 18th day of January, 2024.

BUCHALTER, P.C.

/s/ George W. Pratt

George W. Pratt

Attorneys for Plaintiff

ONWARD HOLDINGS, LLC

¹ Since the Motion was filed, the Involuntary Proceeding against Prime has been dismissed, thus terminating the protection, for Prime, of the automatic stay. In due course Onward will seek entry of a default judgment against Prime.

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

ONWARD HOLDINGS, LLC, Plaintiff, vs. PRIME CAPITAL VENTURES, LLC, and KRIS ROGLIERI, Defendants.	FINAL JUDGMENT Civil No.: 2:23-cv-00833-JNP-JCB Honorable Jill N. Parrish Magistrate Judge Jared C. Bennett
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Plaintiff Onward Holdings, LLC (“**Onward**”) has filed Plaintiff’s Motion for Default Judgment Against Kris Roglieri, requesting, pursuant to Fed. R. Civ. P. 55(b)(1) and DUCivR 55-1, and its Amendment to Plaintiff’s Motion for Default Judgment Against Kris Roglieri, seeking the entry of a final default judgment against Defendant Kris Roglieri for the relief requested in Plaintiff’s Complaint. The motion is well taken, and should be granted. Further, the Court expressly determines, pursuant to Rule 54(b), Federal Rules of Civil Procedure, that there is no just reason for delay in the entry of a final judgment against Defendant Kris Roglieri.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that a final judgment is entered in favor of Plaintiff Onward Holdings, LLC against defendant Kris Roglieri in the amount of \$3,000,000.00. Interest shall accrue on this Judgment as provided in 28 U.S.C. § 1961.

DATED this _____ day of January, 2024.

BY THE COURT:

Honorable Jill N. Parrish
U.S. District Court Judge